IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

FIRST APPEAL NO. 1166 OF 2007

Smt. Sharmila R. Payyade .... Appellant
Versus
Municipal Corporation of Greater Bombay. ... Respondents

Mr. P.M.Havnur for the Appellant.
Mr. J.J.Xavier for the Respondents.

CORAM: S.K.SHAH,J.
DATE : 18th April, 2007

P.C.

1. Learned Counsel for the Appellant withdraws the Appeal with libeerty to make a representation for toleration of the structure under the concerned circular and further submits that the B.M.C. Authority may be directed to take a decision on the representatrion and communicate the decision to the Appellant and till that time he should be protected.

2. The Appeal is allowed to be withdraw. The Appeal is dismissed as withdrawn. Liberty to the Appellant to make representation to the Assistant Commissioner,"R" South Ward for toleration of the structure. The concerned Authority of B.M.C. shall consider such representation if made within two weeks from today. The B.M.C. Authority shall consider the same and take a decision within six weeks thereafter and communicate the decision to the Appellant within two weeks thereafter.

3. Till that time,the interim relief granted in this Appeal shall continue.

(S.K.SHAH,J.)